

PLANNING COMMISSION AGENDA REPORT

MEETING DATE: SEPTEMBER 22, 2008

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ITEM NUMBER:

SUBJECT: PLANNING APPLICATION PA-08-12

1512 BRISTOL STREET (SOUTH COAST SHELL SERVICE STATION)

DATE:

SEPTEMBER 11, 2008

FOR FURTHER INFORMATION CONTACT: WENDY SHIH, ASSOCIATE PLANNER (714) 754-5136

PROJECT DESCRIPTION

The applicant is requesting approval of a conditional use permit for the construction of a convenience store and self-serve car wash, replacing an existing mini-mart and auto service building for South Coast Shell service station.

APPLICANT

Travis Companies, Inc. is representing the property owner, Ali Malik.

RECOMMENDATION

Approve by adoption of Planning Commission resolution, subject to conditions.

WENDY SHIH

Associate Planner

KIMBERLY BRANDT, AICP

Asst. Development Services Director

PLANNING APPLICATION SUMMARY

Location:	1512 Bristol Stre	et Application:		PA-08-12			
Request:	Construct a new conve	nience g for Sc	store and outh Coast	self-serve c Shell service	ar wa e stati	sh, replacing the existing mini-mart on.	
SUBJECT PRO	PERTY:		<u>SURROU</u>	NDING PRO	PERT	<u>'Y:</u>	
Zone:	C2		North:	Surroundin	ig proj	perties	
General Plan:	General Commerc	ial	South:	are zoned commercial			
Lot Dimensions:	Irregular (corner l	ot)	West:	and contain commercial uses.			
Lot Area:	16,300 SF		East:	Ayers Hote	el is lo	cated to the east.	
Existing Development: Gasoline serv			rice station with convenience sto			ore and auto service building.	
<u> </u>	DEVELOPA	MENT S	STANDAR	O COMPARI	SON		
Development Standard			Code Requirement			Proposed/Provided	
Lot Size:			_				
Lot Width			120 F	T		90 FT (Bristol St.) ¹ 130 FT (Santa Ana Ave.)	
Lot Area		12,000 SF				16,300 SF	
				. <u> </u>			
Floor Area Rati (High Traffic FA			.20 (3,260	SF)		.09 (1,498 SF) car wash tunnel not included	
Building Height:		2 stories/ 30 FT			1 story/ 21 FT max.		
Setback landscaping:			20 FT			15 – 20 FT ²	
Interior landscaping:		150 SF		Approximately 1,079 SF ³			
Setbacks:							
Front (Santa Ana Avenue)			20 FT			2 FT (existing canopy) ¹	
Front (Bristol Street)		20 FT				2 FT (existing canopy) ¹	
Rear			0	FT		0 – 18 FT	
Parking:							
Standard			5			5	
Handicapped			1			1	
TOTAL:				<u> </u>		6	
CEQA Status	Exempt, Class 32						

Final Action

- Existing nonconforming.

 Approximately 10 FT or 175 SF setback landscaping exists; 15 20 FT or 900 SF proposed.
- No interior landscaping exists on the property.

Planning Commission

BACKGROUND

The property is located on the southeast corner of Bristol Street and Santa Ana Avenue. It contains a gasoline service station with a convenience store and auto repair service that was constructed in 1962 under the County of Orange. The property was recently annexed to the City in March 2000 and is zoned C2 (General Business District).

ANALYSIS

The applicant proposes to demolish the existing convenience store and auto service building and construct a 1,498 square-foot convenience store with an 880 square-foot self-serve car wash tunnel on the southeast (rear) corner of the property. The two existing fuel islands along each street frontage are proposed to remain. The existing hours of operation are 24 hours and the applicant proposes to continue a 24-hour operation for the service station with the new convenience store and self-serve car wash. No sale of alcoholic beverages is proposed at this time.

The proposed construction complies with all applicable commercial development standards. The convenience store and car wash building exterior will have cement plaster with stone veneer, slate tile, and trellis accents. The trash enclosure will match the proposed building materials and color and the Healy tank (clean air separator which assists in controlling gasoline vapor emissions) enclosure will consist of metal mesh screen. If the project is approved, a condition is included requiring further screening of the tank enclosure with landscaping and solid material on the north elevation so that the tank will not be visible from Bristol Street. The existing fuel islands and associated canopies will be updated with materials and colors matching the new building.

The self-serve car wash is proposed along the eastern property line. It is located more than 60 feet away from the Ayres Hotel building, separated by a driveway and parking spaces. Staff does not anticipate any impacts to the hotel customers. However, staff recommends a condition requiring landscape screening along both interior property lines to screen the car wash area and to soften the appearance of the service station from the adjoining properties. Since the drive-through car wash will include a drying function, cars will not be parked or stacked for drying where it would block driveway access from Bristol Street

The property currently has four driveways, two on Bristol Street and two on Santa Ana Avenue. The applicant proposes to remove the two driveways closest to the intersection and replace it with new curb, gutter, and sidewalk which will provide additional setback landscaping at the corner. The property is currently nonconforming with regards to landscaping. It has no interior landscaping and approximately 175 square feet of setback landscaping at the corner of Bristol Street and Santa Ana Avenue. The proposed plan shows approximately 900 square feet of setback landscaping (600 square feet at the corner) and 1,079 square feet of interior landscaping improvements on the property for a net increase of approximately 1,800 square feet.

The Transportation Services Division has reviewed the site plan and has no objections to the proposed site configuration.

It is staff's opinion that the proposed project will provide an upgrade to the property without negatively impacting surrounding developments. The proposed upgrades will enhance the street corner, which is a gateway into the City's industrial park areas to the northeast and the SoBECA Urban Plan area approximately a mile to the northwest on Bristol Street.

GENERAL PLAN CONSISTENCY

The General Plan permits a wide range of commercial uses in the General Commercial designation, including the existing gasoline service station. The proposed development with a .09 FAR is also within the allowable building intensity standard to accommodate the high traffic generating use (maximum FAR of .20 allowed). Therefore, the proposal is consistent with the General Plan.

ALTERNATIVES

The Planning Commission may consider the following alternatives:

- Approve Conditional Use Permit PA-08-12. This would allow the construction of a convenience store and car wash tunnel as proposed with additional site improvements.
- <u>Deny the application</u>. If Commission denies the application, the property may not be developed as proposed and the existing service station may continue to operate as previously approved. A similar request may not be submitted within six months.

ENVIRONMENTAL DETERMINATION

The conditional use permit is exempt from the provisions of the California Environmental Quality Act under Section 15332 for In-Fill Development Projects.

CONCLUSION

The proposed construction complies with all applicable commercial development standards. It is staff's opinion that the proposed project will provide an upgrade to the property without negatively impacting surrounding developments. Therefore, staff recommends approval of the applicant's request.

Attachments: Draft Planning Commission Resolutions for Approval and Denial

Applicant's Project Description Letter

Aerial Photo/Location Map

Plans

CC:

Deputy City Manager - Dev. Svs.

Deputy City Attorney

City Engineer

Fire Protection Analyst

Staff (4) File (2)

Ali Malik

1512 Bristol Street Costa Mesa, CA 92626

Travis Companies, Inc. 4700 E. Bryson Street Anaheim, CA 92807

File: 092208PA0812 Date: 091108 Time: 8:30 a.m.

RESOLUTION NO. PC-08-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING PLANNING APPLICATION PA-08-12

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Travis Companies, Inc., authorized agent for property owner Ali Malik, requesting approval of a conditional use permit for the construction of a convenience store with a self-serve drive-through car wash to replace existing convenience store and service bays for South Coast Shell service station, located at 1512 Bristol Street, in a C2 zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on September 22, 2008.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the Planning Commission hereby **APPROVES** Planning Application PA-08-12 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa City Council does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the Staff Report for Planning Application PA-08-12 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B", as well as with compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 22nd day of September 2008.

Donn Hall, Chair Costa Mesa Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE	}

I, Kimberly Brandt, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on September 22, 2008, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Secretary, Costa Mesa Planning Commission

EXHIBIT "A"

FINDINGS (APPROVAL)

- A. The proposed use complies with Costa Mesa Municipal Code Section 13-29(e) because:
 - 1. The proposed use is compatible and harmonious with uses on surrounding properties.
 - Safety and compatibility of the design of the buildings, parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
 - 3. The project is consistent with the General Plan with the approval of a conditional use permit.
 - 4. The planning application is for a project-specific case and does not establish a precedent for future development.
- B. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29 (g)(2) in that the proposed construction is substantially compatible with developments in the same general area. Granting the conditional use permit will not be detrimental to the health, safety, and general welfare of the public or other properties or improvements within the immediate vicinity. Specifically, the proposed construction complies with all applicable commercial development standards and will upgrade the property without negatively impacting surrounding properties.
- C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA under Section 15332 for In-Fill Development Projects.
- D. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B"

CONDITIONS OF APPROVAL (If project is approved)

- Plng. 1. Complete screening of the all above-ground tanks shall be required incorporating vines on the east and west sides of the mesh screen and opaque material on the north elevation facing Bristol Street. This condition shall be completed under the direction of the Planning Division.
 - 2. Exterior elevations with sample color/materials board shall be submitted to the Planning Division as part of the plan check submittal package.
 - 3. Cornices and other architectural elements shall be wrapped around to the side and rear of building facades.
 - No exterior roof access ladders, roof drain scuppers, or roof drain downspouts shall be permitted.
 - 5. Provide landscape screening along both interior property lines. This condition shall be completed under the direction of the Planning Division.
 - 6. The subject property's ultimate finished grade level may not be filled/raised in excess of 30" above the finished grade of any abutting property. If additional fill dirt is needed to provide acceptable onsite stormwater flow to a public street, an alternative means of accommodating that drainage shall be approved by the City's Building Official prior to issuance of any grading or building permits. Such alternatives may include subsurface tie-in to public stormwater facilities, subsurface drainage collection systems and/or sumps with mechanical pump discharge in-lieu of gravity flow. If mechanical pump method is determined appropriate, said mechanical pump(s) shall continuously be maintained in working order. In any case, development of subject property shall preserve or improve the existing pattern of drainage on abutting properties.
 - 7. Show method of screening for all ground-mounted equipment (backflow prevention devices, Fire Department connections, electrical transformers, etc.). Ground-mounted equipment shall not be located in any landscaped setback visible from the street, except when required by applicable uniform codes, and shall be screened from view, under the direction of Planning Division.
 - 8. All rooftop mechanical equipment shall be screened from view from on- and off-site under the direction of the Planning Division.
 - 9. The conditional use permit herein approved shall be valid until revoked. The conditional use permit may be referred to the Planning Commission for modification or revocation at any time if the conditions of approval have not been complied with, if the use is operated in violation of applicable laws or ordinances or, if in the opinion of the Development Services Director or his designee, any of the findings upon which the approval was based are no longer applicable. Nothing in this condition shall exempt the applicant from complying with any time limits applied to any construction authorized by this application.
 - 10. Demolition permits for existing structures shall be obtained and all work and

- inspections completed prior to final building inspections. Applicant is notified that written notice to the Air Quality Management District may be required ten (10) days prior to demolition.
- 11. All construction-related activity shall be limited to between the hours of 7 a.m. and 8 p.m., Monday through Friday, and 8 a.m. to 6 p.m. Saturday. Construction is prohibited on Sundays and federal holidays. Exceptions may be made for activities that will not generate noise audible from off-site, such as painting and other quiet interior work.
- 12. The conditions of approval and ordinance or code provisions and special district requirements of Planning Application PA-08-12 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
- 13. The applicant shall contact the Planning Division to arrange for a Planning inspection of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
- 14. The use shall be conducted, at all times, in a manner that will allow the quiet enjoyment of the surrounding properties. The applicant and/or property owner shall institute whatever security and operational measures are necessary to comply with this requirement.
- 15. The car wash tunnel, in whole or in part, shall not be enclosed/converted to additional storage or convenience store space unless all applicable commercial development standards can be satisfied (e.g., parking and floor area ratio). Any modification to the use or development on the property is subject to appropriate zoning review and approval by the City of Costa Mesa.
- 16. A copy of the conditions of approval for the conditional use permit must be kept on premises and presented to any authorized City official upon request. New business/property owners shall be notified of conditions of approval upon transfer of business or ownership of land.
- Eng. 17. Maintain the public Right-of-Way in a "wet-down" condition to prevent excessive dust and remove any spillage from the public Right-of-Way by sweeping or sprinkling.

RESOLUTION NO. PC-08-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA DENYING PLANNING APPLICATION PA-08-12

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Travis Companies, Inc., authorized agent for property owner Ali Malik, requesting approval of a conditional use permit for the construction of a convenience store with a self-serve drive-through car wash to replace existing convenience store and service bays for Shell service station, located at 1512 Bristol Street, in a C2 zone; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on September 22, 2008.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", the Planning Commission hereby **DENIES** Planning Application PA-08-12 with respect to the property described above.

PASSED AND ADOPTED this 22nd day of September 2008.

Donn Hall, Chair Costa Mesa Planning Commission

EXHIBIT "A"

FINDINGS (DENIAL)

- A. The proposed use does not comply with Costa Mesa Municipal Code Section 13-29(e) because:
 - 1. The proposed use is not compatible and harmonious with uses on surrounding properties.
 - 2. Safety and compatibility of the design of the buildings, parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
- B. The information presented does not comply with Costa Mesa Municipal Code section 13-29(g)(2) because the proposed use is not compatible with developments in the same general area. Granting the conditional use permit will be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity.
- C. The Costa Mesa Planning Commission has denied PA-08-12. Pursuant to Public Resources Code Section 21080(b)(5) and CEQA Guidelines Section 15270(a), CEQA does not apply to this project because it has been rejected and will not be carried out.
- D. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

South Coast Shell Project Project Description and Summary of Request

Project Description

The proposed project site is located on the southeast corner of the intersection of Bristol Street and Santa Ana Avenue in the City of Costa Mesa. The site currently exists as an existing gasoline service station with automotive repair service on a lot approximately .37 acres in size (16,140 square feet). Currently the site is provided with a main service bay building and two (2) separate raised fuel island canopies. The site is bordered on the west by Santa Ana Avenue. the Avres Hotel on the east, Bristol Street on the north and a strip commercial development to the south. Commercial developments exist to the west and north across Bristol Street and Santa Ana Avenue.

The proposed project involves the demolition of the existing mini-mart and service bay building and replacing it with a new convenience store with retail gasoline sales commercial building with an attached car wash. The existing two (2) raised fuel pump canopies and fuel dispensers will remain and are not a part of this project. The proposed project will include the following:

- A 4,860 square foot state of the art 24-hour convenience store with retail fuel sales
- 800 A 1,012 square foot attached drive through self serve car wash
 - Parking Lot Improvements
 - Landscaping Improvements
 - Lighting Improvements
 - ADA Site Improvements

The proposed project maintains conformance and compliance to the existing zoning of the property and does NOT require any variances or zone changes to satisfy the proposed uses. The project proposes to provide neighborhood commercial services and goods to the local neighborhood while maintaining conformance to the city's general Plan and zoning ordinance. The project maintains the commercial nature of the property and the surrounding uses and will not create any adverse impacts to the area or be materially detrimental to the community.

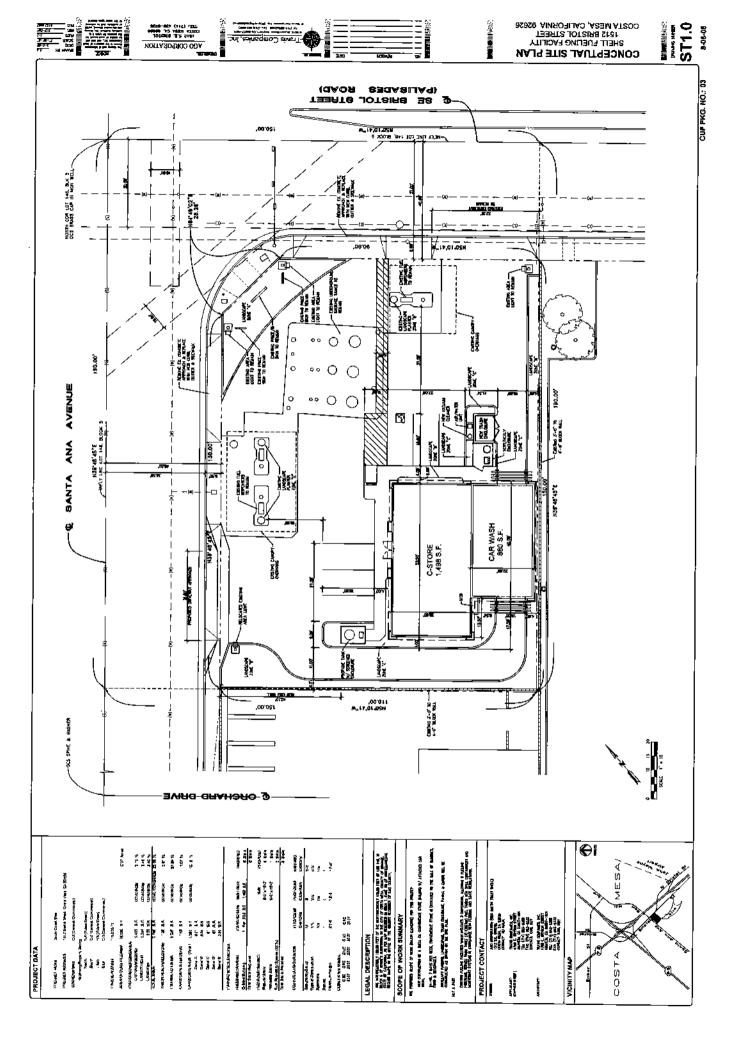
Summary of Request

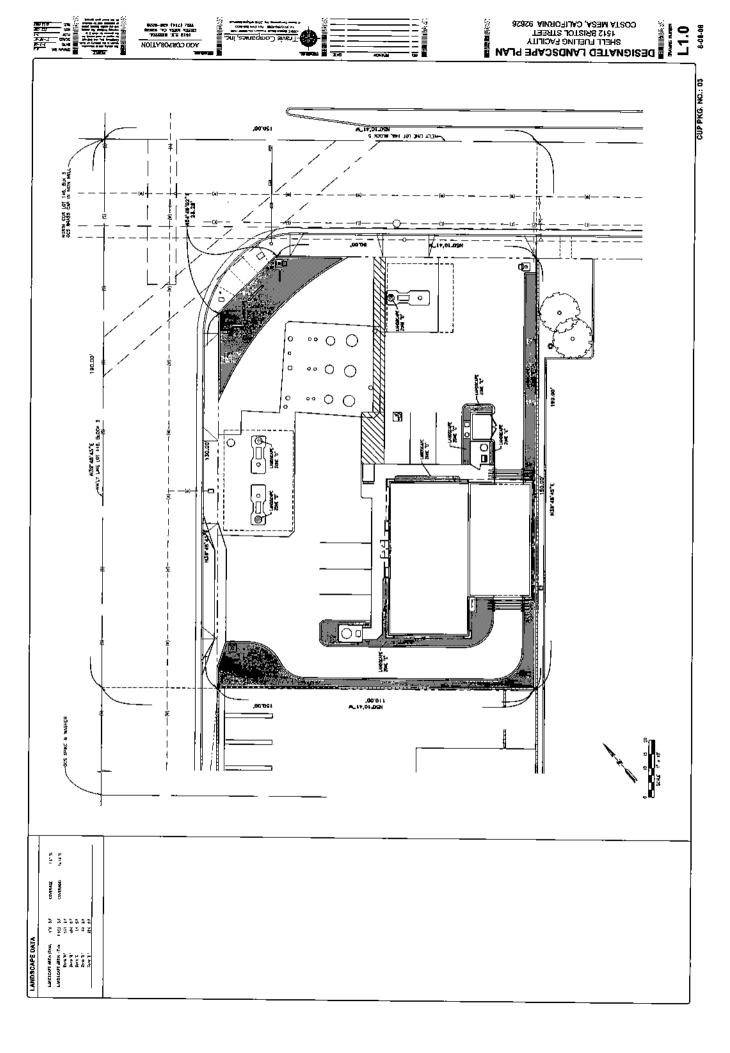
This application is being submitted as a request to the City to review and approve the renovation of an existing commercial gasoline station within the City's corporate boundaries. As presented, the project being considered involves:

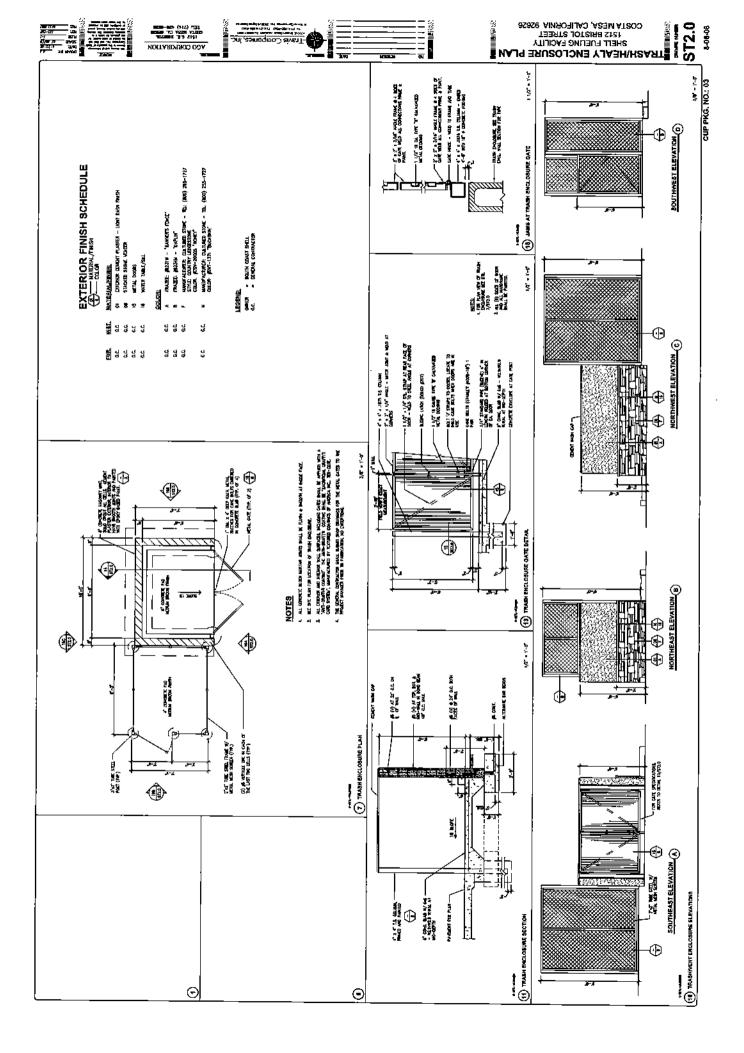
- 1. Demolition of the existing mini-mart and service bay building
- 2. Construction of a 1,800 square foot state of the art convenience store with retail fuel sales.
- 3. The construction of an attached 1,012 square foot drive through self serve car wash
- 4. A request to permit 24 hour operations seven days a week for the convenience store.
- 5. A request to allow the sale of propane gas
- 6. The construction of parking and paving improvements.
- 7. The construction and installation of landscaping and irrigation improvements.

- 8. The construction and installation of handicap and ADA required improvements.
- 9. The construction and installment of all required Federal, State and local government agency required safety and environmental protection regulations and devices.
- 10. The construction of miscellaneous improvements which will include onsite paving and handicap access ramps, perimeter block walls and others.





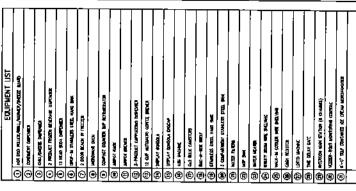


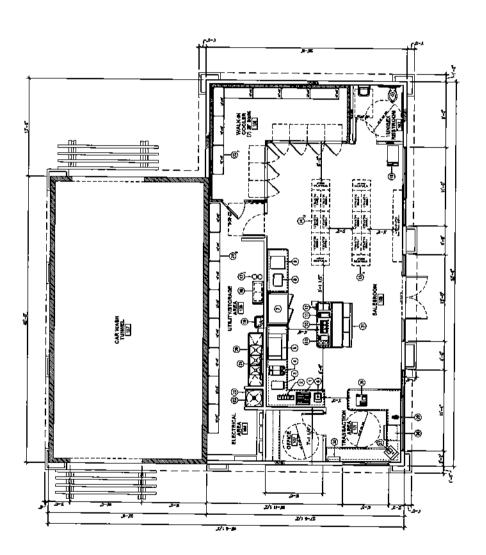


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